

Application No. 10/517,299
Filed: December 7, 2004
TC Art Unit: 2876
Confirmation No.: 4716

REMARKS

Claims 4, 6 and 40-45 are cancelled herein; claims 1-3, 7, 9-12, 15-18, 21-25, 29-39 and 46-47 are amended; and new claim 49 has been added. Thus, claims 1-3, 5, 7-39 and 46-49 remain pending. Support for these amendments is found throughout the application, including the claims, as originally filed. Thus, no new matter has been added.

All original claims have been rejected for indefiniteness or over the prior art. Applicant requests reconsideration of the rejections in light of the indicated amendments and the remarks below.

Objections and Rejection under 35 USC § 112

Applicant submits that the claim objections and the rejections for indefiniteness have been overcome by the amendments requested by the Examiner.

Rejections for Anticipation

Applicant has amended system claims 1 and 21 (and, thereby, all of the claims dependent thereon) as indicated in the attached amended claims to incorporate the limitations of claims 4 and 6. Applicant has also amended method claims 25, 29 and 30 (and, thereby, all of the claims dependent thereon) to include the limitation of measuring or detecting the decay time of luminescence intensity of one or more signals emitted from one or more luminescent tags.

The claims have been rejected as anticipated by Reed et al. or Berson et al., or as obvious over Reed et al. in view of Berson et al., West, Diamandis, Wickersheim et al., Molina or Frank.

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Applicant submits that none of the references cited by the Examiner, either alone or in combination, teaches the detection or measurement of the decay time of luminescence intensity of one or more signals emitted from one or more luminescent tags attached to a product or document for the purpose of authentication as particularly claimed. See, for example, Reed et al. ('112), which teaches that the information to evaluate authenticity is in the watermark itself and does not place any importance in the information actually emitted by the luminescent tag. See further Kolodner ('658), col. 9, and Berson et al. ('304), col. 3, lines 55-67, which teach that the signal measured is the wavelength emitted. Also, see Wickersheim et al. ('143), col. 8, lines 32-61, where temperature measurement is taught based on the unique luminescent properties of ordered crystalline structures that are hosts for phosphors.

Thus, Applicant submits that all claims in the application are in condition for allowance and such action is requested.

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The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

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